

GUIDANCE FOR BRANCHES REGARDING THE PROVISION OF LIFE AND LIMB COVER DURING DAYS OF STRIKE ACTION

SERVICE PROVISION EXEMPTIONS

During periods of industrial action the employers will inevitably seek exemptions for particular groups of workers in order to continue to provide the service. It is also more than likely that employers will look to provide as wide a service as possible and seek agreement with the trade union to do so, branches should be aware of this. This note is to provide guidance for branches as to how such requests should be dealt with.

During periods of national industrial action, branches do not have authority to grant exemptions to employer's requests. This authority lies with the Scottish Secretary or his nominated officer. In terms of the SJC Pay Dispute 2008 it has been agreed that a small group be established to consider requests. Members of this group are Glyn Hawker, Scottish Organiser, Douglas Black, TU Side Secretary, Stephanie Herd, Chairperson Local Government Committee, Marion Stewart and Bob Revie Vice Chairpersons of the Local Government Committee.

UNISON's policy is to grant exemptions in specific circumstances to allow 'life and limb' cover to be provided. There are no fixed rules as to the definition of this however some services listed below may provide examples of where cover may be granted. In terms of the level of provision granted it is unlikely to be more than the level of service an authority currently provides during public holidays and or in an Emergency Out of Hours arrangement. Each request will be considered on an individual basis, however it is the employer's responsibility to make the request and not our responsibility to suggest areas of cover. The branch will be consulted and the branch view considered prior to the granting of any requests.

In terms of how this works, branches should receive and consider the employer's requests and inform the employer of particular requests that have been rejected using our policy on 'life and limb' cover as justification. Requests that the branch would be mindful to agree to and those where the employer is insistent on covering should be referred to Glyn Hawker at g.hawker@unison.co.uk and Douglas Black at d.black@unison.co.uk . All requests will be dealt with as a matter of urgency. In any event branches should, if possible, ensure that all requests from employers are made before 18th August.

Service areas where exemptions could be considered. This is an illustrative list and not exclusive.

Residential Care
Home Care
Child Protection
Mental Health
Emergency Planning
Emergency Housing/Building Maintenance
Public Health – Emergency EH cover

INDIVIDUAL MEMBER EXEMPTIONS

Branches should also be aware that members in the following categories will be automatically exempted.

- Employees currently in their last year of service and who are members of the Local Government Pension Scheme.
- Pregnant women who have notified their employer of the expected date of birth.
- People whose state benefits may be affected if they take part in strike action.

Further details on these categories of exemptions can be found on Page 5 of the Guide to Taking Strike Action.